

REMARKS

Claims 1, 5-13, 15, 17, 19, 20, 22, 24, and 28-31 were pending in the application. By virtue of this response, claims 1, 5, 9, 12, 13, 15, 17, 19, 20, and 22 have been amended, and claims 24, and 28-31 have been cancelled. No new matter has been added. Accordingly, claims 1, 5-13, 15, 17, 19, 20, and 22 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. Applicants specifically preserve the right to pursue cancelled subject matter in one or more continuation or divisional applications.

Claims 9, 12, 13, 15, 19, 20, and 22 have been amended to correct antecedent basis and to correlate the method steps of the claims with the preamble. This amendment adds no new matter.

Claim 1 has been amended to recite the step of comparing the first sample to a second sample comprising mutant RDGC phosphatase. Claim 15 has been amended to recite the step of comparing the first cell to a second cell comprising mutant RDGC phosphatase. This amendment adds no new matter and is supported by the original claims 14 and 23.

Claims 1 and 15 have been further amended to recite a limitation "wherein the test compound is a RDGC mimetic." This amendment adds no new matter and is supported by the specification, e.g. on page 9, lines 10-21, page 23, lines 6-8, page 23, lines 25-28, page 28, lines 18-29.

The rejections will be addressed in the order presented in the Office Action.

Rejection under 35 U.S.C. § 112, first paragraph

The claims 1, 5-13, 15, 17, 19, 20, 22, 24, and 28-31 were rejected as allegedly lacking written description. Although Applicants disagree for reasons of record, in order to expedite prosecution, claims 24 and 28-31 have been cancelled. Claim 1 has been amended to recite a method comprising the step of "providing a second sample comprising the G protein coupled receptor and a mutant Drosophila RDGC phosphatase." Claim 15 has been amended to recite a method comprising the step of "providing a second cell comprising the G protein coupled

receptor and a mutant *Drosophila* RDGC phosphatase." Claims 1 and 15 have been further amended to recite a limitation "wherein the test compound is a RDGC mimetic."

As indicated by the Examiner, Office Action, September 1, 2007, page 3, "original claims 14, 23 and 32, refer to methods of screening for modulators of RDGC GPCR phosphatase activity wherein the assays include providing a second sample containing a mutant RDGC phosphatase," thus provide support for the amended claims 1 and 15. Support for "RDGC mimetic" can be found on page 9, lines 10-21, page 23, lines 6-8, page 23, lines 25-28, page 28, lines 18-29. Therefore, the present specification specifically describes using mutant RDGC phosphatase in the assays of the invention utilizing RDGC mimetics as test compounds. Accordingly, Applicants respectfully request withdrawal of the rejection.

Rejection under 35 U.S.C. § 112, second paragraph

Claims 9-13 were rejected as allegedly lacking proper antecedent basis over the recitation of "the sample." In response, Applicants have amended claims 9, 12, 13 to recite "the first sample and the second sample." Claims 9-13 are dependent on claim 1. Claim 1 recites "a first sample" and "a second sample," thus provides proper antecedent basis for claims 9-13.

Claim 22 was rejected as allegedly lacking proper antecedent basis over the recitation of "the sample." In response, Applicants have amended claim 22 to recite "the first cell and the second cell." Claim 22 is dependent on claim 15. Applicants have further amended claim 15 to recite "a first cell" and "a second cell," thus provides antecedent basis for "the first cell and the second cell" in claim 22. In addition, claims 19-20 have been correspondingly amended to recite "the first cell and the second cell."

Claim 31 was rejected as allegedly lacking proper antecedent basis over the recitation of "the animal." Claim 31 has been cancelled.

Claims 15, 17, 19, 20, and 22 were allegedly indefinite for lacking a clear nexus between the preamble and the method steps of the claims. Specifically, the Office Action states that the claims "do not set forth the relationship between the samples and cells." In response, Applicants have amended claim 15 to recite "a first cell" and "a second cell" in the method steps, thus overcome the informality. Claims 17, 19, 20, and 22 are dependent on claim 15.

Appl. No. 09/463,733
Amdt. dated [insert date]
Reply to Office Action of September 1, 2006

PATENT

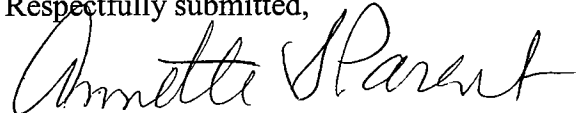
Accordingly, Applicants respectfully request withdrawal of the rejection.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Annette S. Parent". The signature is fluid and cursive, with the first name "Annette" and last name "Parent" clearly distinguishable.

Annette S. Parent
Reg. No. 42,058

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300

61065763 v1